

REMARKS/ARGUMENTS

The Office Action dated June 24, 2004, and the references cited therein have been carefully reviewed in light of the Examiner's helpful comments and suggestions.

As a result of the Office Action, claim 6 is indicated to be allowable if rewritten in independent form, for which, as a preliminary matter, Applicant wishes to thank the Examiner for an early indication of allowable subject matter. However, claims 1-5 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaoka. This reference has been carefully reviewed but is not believed to show or suggest Applicant's invention as now claimed in any manner. Reconsideration and allowance of the pending claims is therefore respectfully requested in view of the following remarks.

According to MPEP 2131, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Claim 1 has been amended and it now requires "said material outlet of said feed-in pipe is confronted with substantially entire surface above an upper side of said cutting seat." However, Yamaoka teaches the feeding plunger 114 and the passageway 110 are set and cover only half the space of the grating disk 96, and not substantially the entire surface, as now required by claim 1.

Moreover, the grating disk 96 of the Yamaoka includes a plurality of teeth on an upper surface thereof covering not the entire upper surface of the grating disk, as required by the claimed invention, but an outer portion thereof because of the existence of the toothed projection 92 in a middle portion of the grating disk. In view

of the foregoing, it is respectfully submitted that claim 1 patentable over the prior art.

Claims 5 and 7 have been amended to correct minor typographical errors.

No new matter has been added.

Claim 2-7 are dependent from claim 1 and are therefore allowable for the reasons provided in connection with claim 1.

The prior art references made of record by the Examiner have each been considered but are not believed to obviate against the allowability of the claims as amended. It is noted that none of these references have been specifically applied by the Examiner against any of the original claims.

Each issue raised in the Office Action dated June 24, 2004, has been addressed and it is believed that claims 1-7 are in condition for allowance.

Wherefore, reconsideration and allowance of these claims is earnestly solicited.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
DENNISON, SCHULTZ,
DOUGHERTY & MACDONALD

By: 

Amir H. Behnia
Reg. No. 50,215
(703) 837-9600 Ext. 16